

1 MATTHEW B. MOCK (SBN 316380)
2 matthew.mock@afslaw.com
3 OSCAR A. FIGUEROA (SBN 313238)
4 oscar.figueroa@afslaw.com
5 **ARENTFOX SCHIFF LLP**
6 555 S. Flower St., 43rd Floor
7 Los Angeles, CA 90071
8 Tel: 213.629.7400/Fax: 213.629.7401

9 JONATHAN JUDGE (*Pro Hac Vice*)
10 jonathan.judge@afslaw.com
11 **ARENTFOX SCHIFF LLP**
12 233 South Wacker Drive, Suite 1700
13 Chicago, IL 60606
14 Tel: 312.258.5500/Fax: 312.629.5600

15 Attorneys for Petitioner
16 ZHUHAI DINGFU PHASE I INDUSTRIAL
17 ENERGY CONSERVATION INVESTMENT
18 FUND, LP

19 **UNITED STATES DISTRICT COURT**
20 **CENTRAL DISTRICT OF CALIFORNIA – SOUTHERN DIVISION**

21 ZHUHAI DINGFU PHASE I
22 INDUSTRIAL ENERGY
23 CONSERVATION INVESTMENT
24 FUND, LP, a Chinese limited
25 partnership,

26 Petitioner,

27 v.

28 PHILLIP LIANG ZHANG aka ZHANG
29 PHILLIP LIANG, aka LIANG ZHANG,
30 aka ZHANG LIANG, aka PHILLIP
31 CHANG, aka PHILLIP L CHANG; aka
32 PHILLIP CHENG, an individual,

33 Respondent.

34 Case No. 8:23-cv-02059-MRA-JDE

35 **DECLARATION OF OSCAR A.
36 FIGUEROA IN SUPPORT OF
37 PETITIONER'S RENEWED
38 OPPOSED *EX PARTE*
39 APPLICATION FOR ORDER
40 APPOINTING TEMPORARY
41 RECEIVER AND ORDER TO
42 SHOW CAUSE WHY A
43 PERMANENT RECEIVER
44 SHOULD NOT BE APPOINTED**

45 Hon. Mónica Ramírez Almadani

46 Petition Filed: November 1, 2023

47 Discovery Cut-Off: N/A
48 Pre-Trial Conference Date: N/A
49 Trial Date: N/A

DECLARATION OF OSCAR A. FIGUEROA

I, Oscar A. Figueroa, declare as follows:

3 1. I am an attorney duly licensed to practice law in the State of California.
4 I am an associate in the law firm of ArentFox Schiff LLP, counsel of record for
5 Petitioner Zhuhai Dingfu Phase I Industrial Energy Conservation Investment Fund,
6 LP (“Petitioner”). This declaration is made upon my personal knowledge, and if
7 called and sworn as a witness, I could and would testify competently thereto. This
8 declaration is submitted in support of Petitioner’s Renewed Opposed *Ex Parte*
9 Application for Order Appointing Temporary Receiver and Order to Show Cause
10 Why a Permanent Receiver Should Not be Appointed (the “Application”).

11 2. Through the bank levy process, Petitioner learned that on January 28,
12 2025, two weeks after the Court granted the Petition (Dkt. 45), Respondent Phillip
13 L. Zhang closed his individual and joint bank accounts with his wife, Julie Cheng, at
14 Cathay Bank. Petitioner is unaware what Zhang did with the funds withdrawn from
15 these accounts, because Petitioner has not disclosed the accounts where the money
16 was moved. This evasion directly obstructed Petitioner’s ability to levy Cathay Bank,
17 while other accounts named after trusts and businesses, but still identified by Cathay
18 Bank as connected to Zhang, lie beyond the scope of this Court’s Writ of Execution
19 at these same institutions. Petitioner believes that Zhang is or has engaged in similar
20 practices at the other banks Petitioner has levied.

21 3. On January 21, 2025, Petitioner served interrogatories and requests for
22 production of documents on Zhang. A true and correct copy of Zhang's
23 interrogatories is attached hereto as **Exhibit 1**. A true and correct copy of Zhang's
24 requests for production of documents is attached hereto as **Exhibit 2**.

25 4. On February 7, 2025, Zhang's counsel, Leodis Matthews, sent a letter
26 concerning ongoing discovery disputes. A true and correct copy of the February 7th
27 letter is attached hereto as **Exhibit 3**.

28 | 5. On February 13, 2025, affidavits were submitted to the Orange County

1 Clerk-Recorder's Office reflecting a change in trustee of Zhang's Family Trust. A
2 true and correct copy of the affidavits submitted to the Orange County Clerk-
3 Recorder's Office is attached hereto as **Exhibit 4**.

4 6. On April 14, 2025, Judge Almadani held a hearing on Zhang's Motion
5 to Stay (Dkt. 49) and Motion to Amend (Dkt. 50). A true and correct copy of excerpts
6 from transcript of the April 14th Hearing is attached hereto as **Exhibit 5**.

7 7. On May 1, 2025, Zhang served responses to Petitioner's special
8 interrogatories and responses to Petitioner's requests for production. A true and
9 correct copy of Zhang's responses to Petitioner's special Interrogatories dated May
10 1, 2025, is attached hereto as **Exhibit 6**. A true and correct copy of Zhang's responses
11 to Petitioner's requests for production dated May 1, 2025, is attached hereto as
12 **Exhibit 7**.

13 8. On June 4, 2025, Mr. Matthews sent an email regarding discovery where
14 he asserted that Zhang did not have an interest in accounts belonging to his Family
15 Trust. A true and correct copy of Mr. Matthews' June 4th email is attached hereto as
16 **Exhibit 8**.

17 9. A true and correct copy of an August 27, 2020 "Loan Agreement"
18 between the Family Trust of Phillip Liang Zhang and Julie Xingzhou Cheng and
19 JCAE Group, Inc. is attached hereto as **Exhibit 9**. This exhibit is being submitted
20 under seal.

21 10. A true and correct copy of a May 31, 2024 "Loan Agreement" between
22 the Family Trust of Phillip Liang Zhang and Julie Xingzhou Cheng and JCAE Group,
23 Inc. is attached hereto as **Exhibit 10**. This exhibit is being submitted under seal.

24 11. A true and correct copy of a September 23, 2024 "Loan Agreement"
25 between the Family Trust of Phillip Liang Zhang and Julie Xingzhou Cheng and
26 JCAE Group, Inc. is attached hereto as **Exhibit 11**. This exhibit is being submitted
27 under seal.

28 12. A true and correct copy of an April 10, 2021 Capital Contribution

1 Statement is attached hereto as **Exhibit 12**. This exhibit is being submitted under
2 seal.

3 13. A true and correct copy of Capital Contribution Statements dated
4 October 20, 2024, October 30, 2024, December 2, 2024, December 17, 2024, and
5 January 9, 2025 are attached hereto as **Exhibit 13**. This exhibit is being submitted
6 under seal.

7 14. A true and correct copy of JCAE Group, Inc.'s Balance Sheet and Profit
8 & Loss Statement is attached hereto as **Exhibit 14**. This exhibit is being submitted
9 under seal.

10 15. A true and correct copy of Zhang's Bank of America account statement
11 for December 12, 2024 to January 13, 2025 is attached hereto as **Exhibit 15**. This
12 exhibit is being submitted under seal.

13 16. On June 25, 2025, my colleague, Matthew Mock, received an email
14 from Charles C.H. Wu indicating that his firm represents Julie Cheng. Another email
15 was received by Andrew M. Sussman indicating that he and his firm represent
16 William Cheng and Central Irvine Investment LLC. A true and correct copy of these
17 emails is attached hereto as **Exhibit 16**.

18 17. A true and correct copy of proposed receiver Theodore Lanes'
19 curriculum vitae is attached hereto as **Exhibit 17**.

20 18. A true and correct copy of proposed receiver Theodore Lanes' Oath of
21 Receiver is attached hereto as **Exhibit 18**.

22 19. On June 26, 2025, at 11:32 a.m., my colleague, Matthew Mock, emailed
23 Mr. Matthews to give notice of our intent to file the instant Application and offered
24 a time for a phone call to discuss further. Mr. Matthews' contact information is
25 below:

26 • Leodis C. Matthews
27 Zhong Lun Law Firm
28 4322 Wilshire Boulevard, Suite 200

1 Los Angeles, CA 90010

2 leodismatthews@zhonglun.com

3 Phone: 323.930.5690

4 20. Mr. Matthews responded at 12:54 p.m. indicating that Zhang would
5 oppose Petitioner's Application.

6 21. On the same day, at 11:41 a.m., Mr. Mock also emailed Mr. Charles
7 C.H. Wu, counsel for Julie Cheng, to similarly give notice of our intent to file the
8 Application and offered a time for a phone call to discuss. Mr. Wu's contact
9 information is below:

10 • Charles C.H. Wu

11 Wu & Reddy, APC

12 98 Discovery

13 Irvine, CA 92618

14 cchwu@wclawyers.com

15 Phone: 949.251.0111

16 22. Mr. Wu responded at 12:38 p.m. indicating that Julie Cheng would
17 oppose Petitioner's Application. A call to discuss the issues further was scheduled
18 for 2:30 p.m. Mr. Wu confirmed that Julie Cheng would oppose Petitioner's
19 Application.

20 23. Similarly, at 11:49 a.m., Mr. Mock also emailed Andrew M. Sussman,
21 counsel for William Cheng, to give notice of our intent to file the Application and
22 offered a time to discuss further. Mr. Sussman's contact information is below:

23 • Andrew M. Sussman

24 WHGC PLC

25 1301 Dove St., Suite 1050

26 Newport Beach, CA 92660

27 andrewsussman@whgclaw.com

28 Phone: 866.970.0186

24. Mr. Sussman responded at 12:38 p.m. indicating that William Cheng and Central Irvine Investment LLC likely would not oppose Petitioner's Application.

25. On June 30, 2025, at about 12:50 p.m., I emailed counsel for all parties, including Leodis Matthews, Charles C.H. Wu, and Andrew Sussman to provide *ex parte* notice of this renewed Application. Mr. Matthews' and Mr. Wu's clients will oppose the renewed Application, and Mr. Sussman's clients will not oppose.

26. As explained in Petitioner’s accompanying memorandum of points and authorities, good cause exists for the Court to appoint a receiver on an *ex parte* basis due to Zhang’s ongoing efforts to conceal assets, willful discovery noncompliance, defiance of the Court’s discovery order, fraudulent transfer of assets, and closure of bank accounts to frustrate execution of Petitioner’s execution of the Judgment.

27. This is the second request by Petitioner for the appointment of a temporary receiver. On June 27, 2025, Magistrate Judge Early denied **without prejudice** Petitioner's first such Application on the ground that the scope of the temporary receiver's proposed duties went beyond mere discovery and that Central District of California General Order 05-07 therefore precluded him from hearing it without an Order of Reference from the District Court. (Dkt. 120.)

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on June 30, 2025, at Santa Ana, California.

Oscar A. Figueiroa
Oscar A. Figueiroa

*Zhuhai Dingfu Phase I Industrial Energy Conservation Investment Fund, LP, v.
Phillip Liang Zhang
8:23-CV-02059-MRA-JDE*

PROOF OF SERVICE

I am a citizen of the United States. My business address is ArentFox Schiff LLP, 555 S. Flower St., 43rd Floor, Los Angeles, California 90071. I am employed in the County of Los Angeles where this service occurs. I am over the age of 18 years, and not a party to the within cause.

On the date set forth below, according to ordinary business practice, I served the foregoing document(s) described as:

**DECLARATION OF OSCAR A. FIGUEROA IN SUPPORT OF
PETITIONER'S RENEWED OPPOSED *EX PARTE* APPLICATION FOR
ORDER APPOINTING TEMPORARY RECEIVER AND ORDER TO
SHOW CAUSE WHY A PERMANENT RECEIVER SHOULD NOT BE
APPOINTED**

(BY E-MAIL) On this date, I personally transmitted the foregoing document(s) via my electronic service address (katryn.smith@afslaw.com) to the e-mail address(es) of the person(s) on the attached service list.

(BY MAIL) I am readily familiar with my employer's business practice for collection and processing of correspondence for mailing with the U.S. Postal Service, and that practice is that correspondence is deposited with the U.S. Postal Service the same day as the day of collection in the ordinary course of business. On this date, I placed the document(s) in envelopes addressed to the person(s) on the attached service list and sealed and placed the envelopes for collection and mailing following ordinary business practices.

(BY PERSONAL SERVICE) On this date, I caused to be delivered by hand envelope(s) containing the document(s) to the persons(s) on the attached service list.

(BY FEDERAL EXPRESS) I electronically served the foregoing document(s) through Federal Express on the person(s) on the attached service list.

(Federal) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Please see attached Service List.

Executed on June 30, 2025, at West Grove, California.

Katryn F. Smith

1 Service List
2
3

4 Leodis C. Matthews
5 Zhong Lun Law Firm
6 4322 Wilshire Boulevard, Suite 200
7 Los Angeles, CA 90010

8 Attorneys for Phillip Liang Zhang
9 leodismatthews@zhonglun.com
10 Phone: 323.930.5690

11 Charles C.H. Wu, Esq.
12 Vikram Reddy
13 WU & REDDY, APC.
14 98 Discovery
15 Irvine, CA 92618

16 Attorneys for Julie Cheng
17 cchwu@wclawyers.com
18 vreddy@wclawyers.com
19
20 Phone: (949) 251-0111

21 Andrew M. Sussman
22 WHGC PLC
23 1301 Dove St., Suite 1050
24 Newport Beach, CA 92660

25 Counsel for William Cheng and
26 Central Irvine Investment LLC
27
28

29 andrewsussman@whgclaw.com
30 JeffreyWang@WHGCLaw.com
31 SuchenLuo@WHGCLaw.com
32 eugenelong@whgclaw.com
33 ElenaRomero@WHGCLaw.com
34 martyvalenzuela@WHGCLaw.com

35 Phone: 866.970.0186